

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

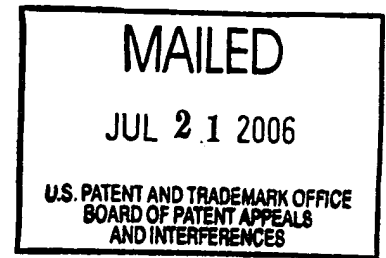
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Ex parte CHARLES J. RUNKLE,  
AMITAVA SENGUPTA AND TONY R. VIDO

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Application 09/851,242

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on July 14, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

An Information Disclosure Statement (IDS) was filed on June 8, 2005. It is not apparent from the record whether the examiner considered the statement submitted or notified appellants regarding why their submission did not meet the criteria set forth in 37 CFR §§1.97 and 1.98. A communication notifying appellants of the Primary Examiner's decision is required.

Accordingly, it is ORDERED that the application is returned  
to the Examiner to:

- 1) consider the IDSs filed June 8, 2005, with appropriate notification to appellants regarding the Primary Examiner's decision and;
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:



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